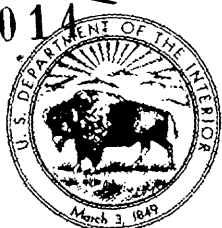


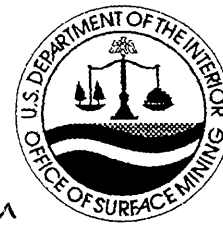
0014



U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING

Mine Site Evaluation State Program



Handwritten signature and date: 10/19/05

1. Permittee/Person CYPRUS PLATEAU MINING CORP.		9. Permit Number UT-007-006	10. Permit Type PP
2. Address 847 NORTHWEST HIGHWAY 191		11. Field Visit Date 07/07/2005 mm - dd - yyyy	12. Purpose O
3. City Helper	4. State UT	13. SRA Present Y	14. Permit Status A
5. Zip Code 84526	6. Phone Number (435) 472-0475	15. Site Status MC	16. Facility Type BDEGK
7. Operator Name, if Different than Permittee		17. OSM Office # 140	18. CCID #
8. Mine Name STAR POINT MINE		19. Land Code SF	20. M.S.H.A ID # 42-00171
		21. State Abrev. UT	22. County Name CARBON
		23. AVS Permittee Entity ID Number 060102	24. State Office

25. Hours	26. Signature Block	27. Reviewing Official:
1.0 a. Permit Review	<i>Signature: Henry Austin</i> Signature: HENRY AUSTIN ID # 116	<i>Signature: J. Fulton</i> Signature:
7.0 b. Site Visit Time	Printed Name:	Review Date: 10/18/05 mm - dd - yyyy
8.0 c. Travel Time	Date: 08/17/2005	Is Supplemental MSE Page Used Y/N Y
1.0 d. Report Writing		

Permit Type — Item 10 IP = Interim Program, PP = Permanent Program, NP = No Permit

Purpose Type Codes Item 12
Oxx.... Oversight RFX.... Reclamation Fees CCR.... Citizen Complaint Referral (non site visit)
Axx.... Assistance Fxx.... Federal Actions CC.... Citizen Complaint (initial site visit)
CCF.... Citizen Complaint Follow-up

Joint Inspection — Item 13 A joint inspection is when a state inspector accompanies an OSM inspector any time during the review of the mine site.

Permit Status — Item 14
A.... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.
IN.... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.
BR.... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)
AB.... Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g)
AB1... Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.
AB2... Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.
AB3... Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.
NA.... Not Applicable: When site is unpermitted.

Site Status Codes — Item 15
ND.... No Disturbance: No coal mining and reclamation operations have been started.
EX.... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.
AP.... Active Coal Producing: Coal surface mining activities are occurring.
AN.... Active Non-Producing: Active non-producing facility such as tippie or preparation plant.
NM.... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.
MC.... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.
TC.... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).
P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.
P2... Phase II Release: At least Phase II bond release for the entire permitted area.
P3... Phase III Release: Reclamation completed and the RA has released all bond.
NS.. Non-Site Visit: Status of site not determined.
FP.. Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.
FR.. Forfeited and Reclaimed: Forfeiture reclamation completed.
FO.. Abandoned Site: Abandoned site that is permitted but there is no bond.
WC.. Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

Facility Type Codes — Item 16
A.... Surface D.... Ancillary (Haulroad, Conveyor, and/or Rails) H.... Exploration Permits L.... Remining site permitted under 30 CFR 785.25
B.... Underground E.... Refuse and/or Impoundment I.... Notice of Intent to Explore
C.... Preparation Plant F.... Loading Facility and/or Tippie J.... Exempt 16 and 2/3
G.... Stockpiles K.... Government Financed Construction Exemption

Small Business Regulatory Enforcement Fairness Act (SBREFA)

Your Comments Are Important

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to help small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

OCT 27 2005

U. S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

Mine Site Evaluation

State Program

Permittee/
Person

CYPRUS PLATEAU

Permit
Number

UT-007-006

Field Visit
Date

07/06/2005

Continuation Page

28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited

A. Administrative 1. <input type="checkbox"/> Mining within Valid Permit 2. <input type="checkbox"/> Mining within Bonded Area 3. <input checked="" type="checkbox"/> Terms & Conditions of Permit 4. <input type="checkbox"/> Liability Insurance 5. <input type="checkbox"/> Ownership and Control 6. <input type="checkbox"/> Temporary Cessation 7. <input type="checkbox"/> AML Rec. Fees -- Non-Respondent 8. <input type="checkbox"/> AML Rec. Fees -- Failure to Pay	D. Backfilling & Grading 1. <input checked="" type="checkbox"/> Exposed Openings 2. <input type="checkbox"/> Contemporaneous Reclamation 3. <input type="checkbox"/> Approximate Original Contour 4. <input type="checkbox"/> Highwall Elimination 5. <input type="checkbox"/> Steep Slopes (includes downslope) 6. <input type="checkbox"/> Handling of Acid & Toxic Materials 7. <input type="checkbox"/> Stabilization (rills and gullies)	H. <u>1</u> Subsidence Control Plan I. Roads 1. <input type="checkbox"/> Road Construction 2. <input type="checkbox"/> Certification 3. <input type="checkbox"/> Drainage 4. <input type="checkbox"/> Surfacing and Maintenance 5. <input type="checkbox"/> Reclamation
B. Hydrologic Balance 1. <input type="checkbox"/> Drainage Control 2. <input type="checkbox"/> Inspections & Certifications 3. <input type="checkbox"/> Siltation Structures 4. <input type="checkbox"/> Discharge Structures 5. <input type="checkbox"/> Diversions 6. <input type="checkbox"/> Effluent Limits 7. <input type="checkbox"/> Ground Water Monitoring 8. <input type="checkbox"/> Surface Water Monitoring 9. <input type="checkbox"/> Drainage -- Acid-Toxic Materials 10. <input type="checkbox"/> Impoundments 11. <input type="checkbox"/> Stream Buffer Zones	E. Excess Spoil Disposal 1. <input type="checkbox"/> Placement 2. <input type="checkbox"/> Drainage Control 3. <input type="checkbox"/> Surface Stabilization 4. <input type="checkbox"/> Inspections & Certifications	J. Signs & Markers 1. <input type="checkbox"/> Signs 2. <input type="checkbox"/> Markers
C. Topsoil & Subsoil 1. <input type="checkbox"/> Removal 2. <input type="checkbox"/> Substitute Materials 3. <input type="checkbox"/> Storage and Protection 4. <input type="checkbox"/> Redistribution	F. Coal Mine Waste (Refuse Piles/Impoundments) 1. <input type="checkbox"/> Drainage Control 2. <input type="checkbox"/> Surface Stabilization 3. <input type="checkbox"/> Placement 4. <input type="checkbox"/> Inspections and Certifications 5. <input type="checkbox"/> Impounding Structures	K. <u>Distance Prohibitions</u> L. Revegetation 1. <input type="checkbox"/> Vegetative Cover 2. <input type="checkbox"/> Timing
	G. Use Of Explosives 1. <input type="checkbox"/> Blaster Certification 2. <input type="checkbox"/> Distance Prohibitions 3. <input type="checkbox"/> Blast Survey/Schedule 4. <input type="checkbox"/> Warnings & Records 5. <input type="checkbox"/> Control of Adverse Effects	M. <u>Postmining Land Use</u> N. Other General Performance Category

H 1 1) subsidence evaluation

___ 2) ___

___ 3) ___

Performance Standard Catagories 30 CFR Counterpart

A. Administrative.....		E. Excess Spoil Disposal.....(816/817.71-74)
1. Valid Permit.....773.11		1. Placement.....71(e)
2. Mining within Bonded Area.....773.11		2. Drainage Control.....71(f)
3. Terms & Conditions of Permit.....773.17		3. Surface Stabilization.....71(g)
4. Liability Insurance.....800.60		4. Inspections & Certifications.....71(h)
5. Ownership and Control.....778.13		F. Coal Mine Waste (Refuse Piles/Impoundments)(816/817.81-84)
6. Temporary Cessation.....842.11(e) & 816/817.131		1. Drainage Control83(a)
7. AML Rec. Fees -- Non-Respondant.....870.15(b)		2. Surface Stabilization.....83(b)
8. AML Rec. Fees -- Failure to Pay.....870.15(a)		3. Placement.....83(c)
B. Hydrologic Balance.....(816/817.41-57)		4. Inspections and Certifications.....83(d)
1. Drainage Control.....45		5. Impounding Structures.....84
2. Inspections & Certifications.....49(a)(10)		G. Use of Explosives.....(816/817.61-68)
3. Siltation Structures.....46		1. Blaster Certification.....61(c)
4. Discharge Structures47		2. Distance Prohibitions.....61(d)
5. Diversions.....43		3. Blast Survey/Schedule.....62-64
6. Effluent Limits.....42		4. Warnings & Records66 & 68
7. Ground Water Monitoring.....41(c)		5. Control of Adverse Effects.....67
8. Surface Water Monitoring.....41(e)		H. Subsidence Control Plan.....(817.121-122)
9. Drainage--Acid - Toxic Materials.....41(f)		I. Roads.....(816/817.150-151)
10. Impoundments.....49		1. Road Construction.....150(c)
11. Stream Buffer Zones.....57		2. Certification.....151(a)
C. Topsoil & Subsoil.....(816/817.22)		3. Drainage.....150(b)-151(d)
1. Removal.....22(a)		4. Surfacing and Maintenance.....150(e)-151(d)
2. Substitute Materials.....22(c)		5. Reclamation.....150(f)
3. Storage and Protection.....22(c)		J. Signs & Markers(816/817.11)
4. Redistribution.....22(d)		1. Signs.....11(a),(b),&(c)
D. Backfilling & Grading.....(816/817.95-107)		2. Markers.....11(a),(b),(d),(e),&(f)
1. Exposed Openings.....816/817.13, 14, 15, & 823.11 & 21		K. Distance Prohibitions.....(761.11)
2. Contemporaneous Reclamation.....100		L. Revegetation.....(816/817.111-116)
3. Approximate Original Contour.....102(a)(1)		1. Vegetative Cover.....111 & 116
4. Highwall Elimination.....102(a)(2)		2. Timing.....113
5. Steep Slopes (includes downslope).....107		M. Postmining Land Use.....(816/817.133)
6. Handling of Acid & Toxic Materials.....102(c)		
7. Stabilization (rills and gullies).....95(b)		

October 19, 2005
Plateau Mining Corp.
847 Northwest Highway 191
Helper, UT 84526

Star Point Mine
Subsidence evaluation
July 7, 2005

Participants:

Dennis Ware, Plateau Mining Corp. (PMC)
Susan White, Utah Division of Oil, Gas and Mining (DOGM), DOGM staff members
Dana Dean, Jeri Ann Ernsten, Wayne Hedberg, Wayne Western, Jim Smith, Dave Darby, Steve
Fluke, and Steve Christiansen
Henry Austin & Howard Strand, Office of Surface Mining (OSM)

The above participated in a special focus evaluation for 2005 regarding mining beneath perennial streams. The north fork of the right fork of Miller Creek was selected for evaluation by the joint DOGM / OSM Evaluation Team. This perennial stream has been studied in the past by USGS and BLM staff to document the affects of longwall mining subsidence on the stream. Inspection participants understood the BLM is again conducting studies of this stream.

Our topic was intended to evaluate the subsidence effects to the stream and determine whether they have caused material damage outside the permit area, adversely affected state-appropriated water supplies, and that the subsidence effects were mitigated (if necessary or possible) as required in the approved DOGM mining permit.

The primary purpose of this field evaluation was to make general observations of the obvious subsidence zone that has affected the north fork of the right fork of Miller Creek. We walked down slope from the headwaters area to below the known subsidence zone in the north fork. The reach of stream affected is several hundred feet long, and the stream is no longer visible in the surface channel, presumably it is flowing in the stream channel alluvium beneath the surface. We did see evidence of the stream flow resurfacing in the stream channel below this known zone of subsidence influence. We saw evidence of rock (sandstone outcrops) spalling, and minor ground movement in several areas associated with the known subsidence zone. Surface (ground) effects were hard to determine due to vegetation density and steep slopes.

I used my personal GPS unit and captured point locations of various points of interest along the subsidence zone. These point location readings were given to Dave Darby during the evaluation. (Subsequent to the evaluation I lost my field book and it has not been recovered to date.) Inspection participants discussed the surface water monitoring record here. It was not clear during the evaluation what effects, if any, have been documented with respect to diminished total flow through the subsidence zone and resultant affects downstream. We also did not determine whether diminished flows in the known subsidence zone have or are currently affecting state appropriated water supplies. The evaluation team will continue to evaluate the subsidence effects to this stream.

Address any question on this report to Henry Austin, OSM, at (303) 844-1400 x1466.